

Patrice L. Bishop (182256)
service@ssbla.com
STULL, STULL & BRODY
10940 Wilshire Boulevard
Suite 2300
Los Angeles, CA 90024
Tel: (310) 209-2468
Fax: (310) 209-2087

Jules Brody
Aaron L. Brody
SSBNY@aol.com
STULL, STULL & BRODY
6 East 45th Street
New York, NY 10017
Tel: (212) 687-7230
Fax: (212) 490-2022

Counsel for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRIS CRIMI, on Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

v.

EDWARD W. BARNHOLT, H.
RAYMOND BINGHAM, ROBERT T.
BOND, RICHARD J. ELKUS, JR.,
STEPHEN P. KAUFMAN, KENNETH
LEVY, MICHAEL E. MARKS, DEAN O.
MORTON, KENNETH L. SCHROEDER,
JON D. TOMPKINS, RICHARD P.
WALLACE, KLA-TENCOR
CORPORATION, and DOES 1 through 25,

Defendants.

CASE NO. C 08-02249 CRB

CLASS ACTION

**DECLARATION OF PATRICE L.
BISHOP IN SUPPORT OF
STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING DATE
ON MOTION TO DISMISS AND
ESTABLISHING BRIEFING SCHEDULE
FOR: (i) DEFENDANT'S MOTION TO
DISMISS; AND (ii) PLAINTIFF'S
MOTION FOR REMAND**

1 I, Patrice L. Bishop, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and this District. I am
3 an associate with the law firm of Stull, Stull & Brody, counsel for plaintiff Chris Crimi ("Plaintiff").
4 I submit the Declaration pursuant to Local Rule 6-2 in support of the parties' Stipulation and
5 [Proposed] Order Continuing Hearing Date on Motion to Dismiss and Establishing Briefing
6 Schedule For: (i) Defendant's Motion to Dismiss; and (ii) Plaintiff's Motion for Remand. I am
7 familiar with this matter and have knowledge of the information stated herein.

8 2. On September 4, 2007, Plaintiff filed a Complaint for alleged violations of state law
9 against defendant KLA-Tencor Corporation ("KLA-Tencor") and certain of the members of its
10 Board of Directors with the Superior Court of the State of California for the County of Santa Clara
11 (the "State Court"). On November 14, 2007, KLA-Tencor filed their Motion to Stay plaintiff's
12 Complaint, and on January 8, 2008, filed a Demurrer to plaintiff's Complaint. After briefing and
13 hearing on the Motion to Stay, on February 29, 2008, the State Court granted KLA-Tencor's
14 Demurrer with leave to amend and denied the Motion to Stay without prejudice. On April 1, 2008,
15 Plaintiff filed his Amended Complaint.

16 3. On April 30, 2008, KLA-Tencor filed its Notice of Removal with this Court. On
17 May 7, 2008, KLA-Tencor filed a Motion to Dismiss the Amended Complaint, scheduling it for
18 hearing on Friday, June 13, 2008 at 10:00 a.m..

19 4. Recently, I informed KLA-Tencor's counsel that Plaintiff intends to file a Motion for
20 Remand and that I believe that the Motion for Remand should be heard prior to or on the same day
21 of the Motion to Dismiss. As a result, I requested KLA-Tencor continue the hearing on its Motion
22 to Dismiss to a date which would allow me to file a noticed Motion to Remand pursuant to the
23 timing requirements of the Local Rules. I also stated that I would like to establish a briefing
24 schedule for both motions.

25 5. Counsel for KLA-Tencor agreed to my requests, and informed me that their first
26 available Friday, the date the Court hears civil motions, would be July 18, 2008. Because I am also
27 available on July 18, 2008, I suggested the briefing schedule outlined in the parties Stipulation.
28 Defense counsel agreed to the briefing schedule.

